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# Tapuitema

...ina ia manino le folauā.

Official American Samoa Government Weekly Newsletter



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## **Lt. Gov. Ipulasi returns home with good news that Gov. Togiola is “recuperating well”**

It seems like all the prayers and support for Governor Togiola Tulafono have paid off, as the Chief Executive has been released from the hospital and, according to Lt. Governor Ipulasi Aitofele Sunia, is “recuperating well.”

Ipulasi, who returned home from the US mainland after attending official meetings, was able to stop in and visit Togiola in the Aloha State where the Governor has been undergoing treatment and follow-up appointments since last month when he was medically evacuated to Hawaii.

“I am happy to return to the Territory with good news about my visit with Governor Togiola Tulafono and his recovery in Honolulu,” Ipulasi said. “It truly was a great feeling to see Governor Togiola and First Lady Mary Ann in Honolulu.”

Ipulasi, who visited Togiola while he was in the hospital and again after the Governor was released, reports that the Governor is “recuperating well.”

“I was very pleased with the progress the Governor was making,” said the Lt. Governor. “After he was released from the hospital, I visited him again at the hotel where he was staying. He has been getting much-needed rest since he was discharged from Straub Hospital a week ago.”

Ipulasi said that while Togiola was recovering at Straub Hospital, he was told that no further surgical intervention was required.

Togiola was discharged from Tripler Army Medical Center on January 23<sup>rd</sup>. However, the following day, January 24<sup>th</sup>, the Governor checked himself into Straub Hospital due to a fever. (Togiola was medivaced to Honolulu after he was twice admitted to the LBJ Medical Center in Fagaalu for stomach pains and an appendectomy).

At Straub, it was discovered that the Governor had bacteria in his blood, which caused the post-operative fever. After spending ten days at Straub Hospital, Togiola was discharged. But he will remain in Honolulu for follow-up medical check-ups over the next couple of weeks.

According to Ipulasi, the Governor has been following the doctor’s orders, which includes getting plenty of rest so that he can return to the Territory and back to work as soon as possible.

“Governor Togiola and I met for several hours during my visit,” Ipulasi said. “We discussed important issues and priorities of the government. The Governor said projects and programs that needed special and immediate attention should not wait for his return. So, I will now address all of these issues, priorities, projects and programs and see them through.”

Ipulasi said that during his meetings with the Governor, he gathered that Togiola was homesick. “So I counseled the Governor to take work off his mind. I told him that he needed to be well first and not to be too anxious about returning home,” Ipulasi said.

He relayed Togiola’s gratitude for all the prayers and well wishes, saying that the Governor looks forward to personally extending his gratitude when he returns after all follow-up consultations.

A date for Governor Togiola to return to American Samoa will be determined upon completion of all his medical visitations.

“Again, on behalf of Governor Togiola Tulafono and First Lady Mary Ann Tulafono, I wish to express our sincere appreciation to all the people of American Samoa and, especially to our military families serving and defending our freedom, for all the prayers and best wishes,” Ipulasi said.

He concluded, “May God continue His wonderful care for our leader, and may God bless American Samoa.”

Well wishes, support, and prayers for the Governor, the First Lady, and their children are abundant in the territory, with different church groups and local organizations like the Marist St. Joseph’s Old Pupils Association hosting a special prayer service for him last month.

## ***Governor's Wage Task Force recommends an end to escalating clause***

The Governor's Minimum Wage Task Force has submitted a report that recommends an end to the escalating clause, saying that its continuance "will cause additional capital outlay in wage levels within all industries across the board in American Samoa."

The report was submitted by Task Force chairman and Department of Commerce director Faleseu Eliu Paopao to Governor Togiola Tulafono and the United States Department of Labor (USDOL).

(The role of the Task Force is to review the effects of the escalating clause in the federal minimum wage bill. The report is not only to analyze the impact of the minimum wage and escalating clauses, but also to spell out effects and recommendations for maintaining industrial growth and development in American Samoa).

When the first 50-cent minimum wage hike went into effect last July, it cost a whopping \$4.5 million to implement, with the local canneries taking the biggest blow, the report says. The canneries paid out an additional cost of \$3.7 million, followed by retailing, wholesaling, and warehousing with almost an extra \$500K added to wages.

The next 50-cent hike is set to occur on May 25, 2008 and a raise will be implemented every year thereafter until the current minimum wage reaches the federal level of \$7.25 an hour.

A copy of the report was submitted to the House Committee on Commerce and Retirement earlier this month, where DOC deputy director Lelei Peau testified that the American Samoa Government was not affected during the minimum wage hike increase. However, during the second hike (set for later this year in May), a dozen career service employees will be affected, meaning that ASG will have to cough up an additional \$186,000 to pay them.

The second hike will also place a serious strain on the private sector, with an increase of \$5.4 million for 622 employees. The highest increase, of course, will go to the canneries which will face an additional cost of \$4.1 million to cover the 487 affected employees.

Other areas that will feel the effect of a second hike include retailing, wholesaling, and warehousing at a cost of \$664,560 to cover 78 employees.

The report states that the first two minimum wage hikes for the private sector, not ASG, will require nearly \$10 million to implement and an additional \$6 million for the third year.

If the escalating clause is permitted to continue, by the ninth year (2015), the total wage hike bill will have ballooned to \$55.6 million.

The report states that with the escalating clause, the once lucrative market in American Samoa will no longer be an incentive for continuance of certain industries in a global economy.

Chairman of the House Committee on Commerce and Retirement, Rep. Taotasi Archie Soliai says that the escalating clause needs to end, as the territory just can't afford it. He added that at this point, the only thing the local government can do to try to stop the minimum wage increases is to voice their recommendation to Congress, which approved the wage hike and therefore, are the ones who can amend and/or remove it.

"The general consensus is to put an end to this," Taotasi said, adding that hearings have already taken place and testimonies have been provided by the government, cannery officials, and the Chamber of Commerce who all agree that allowing the escalating clause to remain in effect will prove to be devastating.

## ***HISTORICAL NOTES***

*By: Stan Sorensen, Historian, Office of the Governor*

**On February 10, 1990**, Tolia ("Tony") Solaita, Samoa's only Major League Baseball player, was shot to death in Tafuna, American Samoa.

**On February 11, 1948**, President Harry S. Truman declared his intention to designate the Department of the Interior as the agency responsible for the administration of American Samoa, Guam and the Trust Territory of the Pacific Islands.

**On February 11, 1960**, in American Samoa, Ta'u Village's new water system was completed.

**On February 11, 1977**, Her Majesty Queen Elizabeth II visited Western Samoa at the beginning of her Silver Jubilee.

**On February 12, 1974**, the Courthouse of American Samoa was entered on the *National Register of Historic Places*.

**On February 13, 1878**, the United States-Samoa Treaty of Friendship, signed in Washington, D.C. by Le Mamea and representatives of the State Department, was ratified by the U.S. Senate.

**On February 13, 1922**, the Fitiuta School was opened on Ta'u, Manua.

**On February 13, 1928**, as his authority weakened due to the *Manu*-imposed *sa* (boycott) on *papalagi*- and *afakasi*-owned stores in Apia, Administrator Sir George Richardson sent a telegram to Wellington, requesting that three warships be sent to Samoa immediately and secretly, explaining that the *Manu* were in a "defiant and dangerous" mood.

**On February 13, 1941**, American Samoa's Governor, Captain Laurence Wild, replied to the Chief of Naval Operations' (Admiral Harold R. Stark's) directive of December 20, 1940 "by recommending the establishment of a Native Insular Force separate and distinct from the Fita Fita Guard, which was to function under and to be paid by the Government of American Samoa." This force subsequently came into being as the First Samoan Battalion, U.S. Marine Corps Reserve.

**On February 14, 1872**, Commander Richard W. Meade, USN, commanding USS *Narragansett*, anchored in Pago Pago Harbor to investigate the possibility of establishing a naval station there. He did this at the request of Mr. Henry A. Pierce, the United States Minister to Hawaii, who wanted to establish American interest and influence in Samoa.

**On February 14, 1913**, three American Samoan boys were sent, aboard the *Ventura* at government expense, to Hawaii's Hilo Boarding School. The boys were "Faatoia (son of Tufele, district governor of Manu'a), Nelsone, of Leone (son of Uaine), and Toalei, of Leone (son of Leoso)."

**On February 14, 1914**, the American Samoan Nurses' Training School was opened in Fagatogo, next to the hospital, under the direction of Acting Chief Nurse Mary H. Humphreys and Nurse Corinne Anderson of the U.S. Navy's Female Nurse Corps. The first three student nurses (Initia, Fe'iloia and Pepe) were graduates of the London Missionary Society's Atauloma Girls' School.

**On February 14, 1941**, "Rose Atoll was made a Naval Defense Area by Executive Order of President Franklin D. Roosevelt."

## **Territory to get an increased share from DOI's FY '09 budget**

American Samoa will get an increase of more than \$200K from the Department of Interior's budget for fiscal year (FY) 2009. This is according to the DOI's FY 2009 budget proposal which was released in Washington on Monday, Feb. 4

American Samoa received \$22.8 million in government operations grants in FY 2007. That amount later dropped to \$22.5 million for the current fiscal year (FY 2008). But come next fiscal year (FY 2009), the amount will increase by approximately \$229,000 for a total of \$22.7 million.

The Department of Interior sees the proposed increase as part of their ongoing commitment to providing stable operations funding for the territory.

The DOI's Office of Insular Affairs has a proposed budget total of \$401.6 million for FY 2009. Of that amount, \$79.9 million is in current appropriations. The current appropriations request is \$3.3 million below the FY 2008 budget.

Funding decrease for the insular areas includes the technical assistance grants which were at \$10.9 million in FY 2008 but have been reduced to \$8.09 million under the FY 2009 budget. The reduction, \$2.8 million, is due to the elimination of funding for certain programs in the current fiscal year for places like Guam and the Commonwealth of the Northern Mariana Islands.

## **Gaea Failautusi is the new ASG Treasurer**

After garnering unanimous confirmation from both the Senate and the House of Representatives, Gaea Perefoti Failautusi is now the new Treasurer for the American Samoa Government, replacing former ASG Treasurer Velega Savali who was terminated by Governor Togiola Tulafono last month.

Gaea, a former senator and current deacon for the CCCAS Vaitogi Church, was appointed by Lt. Governor Ipulasi Aitofele Sunia and his speedy confirmation could be attributed to his knowledge of Treasury operations and his stated goals for the department.

Gaea appeared before both Fono chamber to testify during his confirmation hearings where he announced his overall plans for the Treasury Department, plans that include "centralizing" container inspections, meaning that incoming containers will be inspected at the dock and not anywhere else – as has been the practice in the past years.

According to Gaea, permitting containers to be inspected outside of government property is one of the problems that can be described as a leak in government revenues. He revealed before the Senate that last October, he spoke with Governor Togiola who expressed to him his concerns about the decrease in ASG revenues.

Gaea didn't go into details but he told the Senate members that he offered the Governor some advice on the matter.

In addition to the container inspection issue, Gaea also stated that he is working with the Department of Port Administration to find enough space for office operations, and he is proposing that fines be increased for companies found to bring in undeclared items.

In the Senate, Gaea was encouraged to cooperate with investigations conducted by the Fono, specifically the Senate Select Investigative Committee (SSIC). The senators referred to former ASG Treasurer Velega Savali's practice of cooperating with the investigations, and urged Gaea to do the same thing.

It's safe to say that Gaea is a willing participant, as he told the senators about his announcement made to Treasury staff members to cooperate with a current police investigation into an overtime issue that was launched through SSIC investigations last year.

With regards to overtime payments, Gaea explained that ASG policy requires all departments and agencies to inform the Treasury Department prior to conducting any overtime, as approval is needed to ensure that there is adequate funding to cover it.

Gaea said the policy needs to be followed and he will make sure that this happens.

In the House of Representatives, it was smooth sailing for Gaea who didn't have many questions to answer. Gaea, who is in his late 60s and proclaims that he is healthy, was advised to perform his duties the right way and not give up easily.

Gaea has over three decades of ASG work experience under his belt, in areas that included auditing, accounting, and budgeting, supervisory management and automated financial management systems.



## DHSS reminds all local tobacco vendors to comply with the law

Officers from the Compliance Unit of the Department of Human and Social Services will be out conducting mandatory inspections of different stores around the territory, to ensure that vendors are selling tobacco products in accordance with the law.

The inspections are conducted each year and the first one for 2008 will be conducted throughout this month.

Currently, everything from tobacco licensing and the imposition of fines and penalties, to board hearings conducted for vendors suspected to be in violation are all carried out by DHSS who took over from the Department of Health.

All vendors selling tobacco products must have a valid license and are required to check for identification as the sale of cigarettes/tobacco products to minors is strictly prohibited and considered a violation.

Vendors are not to allow anyone under 18 to sell tobacco products and cigarettes cannot be sold out of the package as singles. Tobacco vending machines are also prohibited.

Anyone found to be in violation of the aforementioned will face serious consequences that may include license revocation and thousands of dollars worth of fines.

According to a DHSS compliance officer, first time violators will be fined \$1,000 in addition to their licenses being suspended for no less than 14 days and no more than a month.

Second time offenders will be slapped with a fine of \$2,000 and their license will be suspended for a period no less than one month and no more than 6 months.

Third time offenders will be fined \$3,500 and their license to sell tobacco will be revoked for no less than 2 years within a three-year period. However, in such cases, the board will make the ultimate decision on whether or not the vendor's license will be permanently revoked, meaning they will not be permitted to sell tobacco products ever again.

Inspections for valid licenses and the illegal sale of cigarettes are conducted – usually unannounced - throughout the year. Once a year, minors assist DHSS with identifying violators through the SYNAR program designed to catch store owners and operators selling tobacco products to underage youngsters.

“Making sure that local vendors are in compliance with the law is definitely a great way for us to keep our young people smoke-free,” said a DHSS employee. “It’s sad to know that there are store owners and operators who are willing to break the law and provide minors with cigarettes just to make a few extra dollars!”

Applications for 2008 licenses are available at the DHSS Quality Control/Compliance Unit offices in the second floor of the ASNAP (food stamp) building in Utulei.

More information can be obtained by calling the DHSS Quality Control/Compliance Unit directly at 633-2627/2628.

## February is National Children's Dental Health Month

Lt. Governor Ipulasi Aitofele Sunia has proclaimed the month of February as Children's Dental Health Month throughout the territory.

According to the proclamation, the future is to a large measure, dependent on the good health of our families, and good health can be achieved in part through good dental health habits learned early and reinforced through life.

Ipulasi said that the Department of Health is dedicated to supporting good dental health habits for local young people as a means to preventing dental disease.

He added that the Department of Health is working with the LBJ Dental Services to educate, assess, and improve the oral hygiene of American Samoa's most vulnerable population – the young children.

Ipulasi encourages everyone “to work together to promote good dental health habits among the young people.”

Poor dental health has been identified as a problem for not only local children, but also the youngsters who reside in the Manu'a Islands.

Last year, DOH sent on a monthly basis, a team of physicians, nurses, and dentists to the Manu'a Islands to conduct free medical check-ups and offer dental services. More often than not, the majority of those who showed up for the dental check-ups were young children who needed extractions, fillings, and a good lecture on how to keep good oral hygiene.

In an interview with the Tapuitema last week, DOH medical director Dr. Ivan Tuliau said that as part of Children's Dental Health Month, DOH will be sending a team of dentists to both Ta'u and Ofu where they will spend a whole week performing free dental check-ups and conducting informative sessions to educate the residents there on ways to practice proper dental hygiene, in an effort to promote good dental health.

### ASG RADIO PROGRAM

*With:* Gov. Togiola Tulafono

*On:* Showers of Blessings FM 104.7

*Saturdays @ 7a.m.*

*Call: 699-8123/8124*



## Public Notice of Intent

The American Samoa Environmental Protection Agency (AS-EPA) and the Environmental Quality Commission (EQC) are proposing to amend the “Safe Drinking Water” regulations in Title 25 Chapter 4 of the American Samoa Administrative Code. The main points of proposed changes to the laws involve:

- Bottled water standards for local, on-island bottlers;
- American Samoa Power Authority (ASPA) water treatment operators certification programs;
- ASEPA Water Quality Laboratory fees;
- General grammatical and formatting changes.

The proposed changes are available for review at the AS-EPA office in Utulei. The public may submit written comments about the proposed changes via email to [ASEPAcomments@gmail.com](mailto:ASEPAcomments@gmail.com) or by mailing them to: Safe Drinking Water Comments, PO Box PPA, Pago Pago, AS 96799. A public hearing will be held at 10 AM on March 10, 2008 in the AS-EPA Conference Room for interested parties to present their comments in person to AS-EPA and EQC members.

## Fa'asilasilaga Fa'alaua'itele

Ua i ai nei se talosaga mai le Ofisa O Puipua Le Si'osi'omaga i Amerika Samoa (ASEPA) ma le Komisi Mo Le Mamā O Le Si'osi'omaga (EQC) e faia ni suiga i tulafono mo le “Suavai Taumafa Saogalemu,” Tulafono Fa'aulutalaina 25 Vaega 4 o le Tusi Tulafono a le Malo a Amerika Samoa. O mata'upu taua o le talosaga o lo'o fia suia i le tulafono e aofia ai:

- Tapula'a fa'atulagaina mo fagu vai o lo'o gaosia i Amerika Samoa;
- Polokalama e pasia ai le au faigaluega a le Malosi'aga Fa'a'etise ma Le Suavai (ASPA), i latou o lo'o gafa ma le fa'availa'auina o le suavai.
- Tupe totogi mo le Potu Su'esu'e a le ASEPA mo le Suavai Taumafa;
- Suia o le gagana ma le fa'ata'otoga o le tulafono mo le Suavai Taumafa.

O lenei talosaga o lo'o iai nei i le Ofisa o le AS-EPA i Utulei mo le mamalu o le atunu'u e mafai ona faitau ai. E mafai ona fa'ao'o atu tusitusiga uma mo lenei talosaga e ala atu i le imeli [ASEPAcomments@gmail.com](mailto:ASEPAcomments@gmail.com) po o le pusa meli: Fa'amatalaga mo le Suavai Taumafa Saogalemu, PO Box PPA, Pago Pago, AS 96799. O le a faia se fono ia Mati 10, 2008 i le 10am mo le mamalu o le atunu'u ma i latou uma e fia saunoa ai i lea mata'upu i le potu fono a le ASEPA i Utulei.

### PUBLIC NOTICE

The Department of Marine & Wildlife Resources completed a draft of the Community-based Fisheries Management Program regulations. The document is available for public review and comments are welcome until February 25, 2008 at 4PM. Interested parties may obtain a copy from the Department of Marine & Wildlife Resources – Fisheries Division. Any questions regarding this notice please contact Selaina Vaitautolu-Tuimavave at 633-4456.



### FA'AALIGA

Ua mae'a ona fa'atulagaina e le Matagaluega o Alamanuia o le Sami ma le Vaomatua ni tulafono fa'ata'ita'i mo le Porokalame o le Puipua o Gataifale Fa'asao i Nu'u ma afio'aga o Amerika Samoa. O lo'o iai nei se tusi tulafono ua mafai ona taga'i iai le mamalu o tagtanu'u ma aumaia ai ni faitioga po'o ni fautuaga. E tapunia lenei avanoa i le aso 25 o Febuary 2008 i le 4 afiafi. Mo ni isi fesili fa'amolemole vala'au mai ile 633-4456 mo Selaina Vaitautolu-Tuimavave.

**NOTICE OF AGENCY INTENT TO ADOPT  
ADMINISTRATIVE RULES PURSUANT TO ASCA §4.1004**


The Department of Marine And Wildlife Resources [DMWR] intends to adopt rules establishing a Community Based Fisheries Management Program, the general purpose of which is to:

- Create village by laws to implement and utilize in the village participation in the Community-Based Fisheries Management Program.
- Establish and delineate village marine protected areas.
- Provide for the protection and conservation of marine and wildlife resources.
- Make it a criminal violation punishable by fine to engage in fishing activities identified as prohibited acts.
- Provide for a criminal penalty for conviction of violation of certain prohibited acts.
- Provide for seizure and forfeiture of property used in the commission of fishing activities identified as prohibited acts.

Interested persons may present their views in writing to the Director of DMWR on or before March 28, 2008 at its offices in Fagatogo during normal business hours. Additionally a full text of the rules subject of this notice of intended action are available for inspection.

Respectfully submitted,

Date: 2/7/08

  
Tulafono, Director  
DMWR

**Proposed bill seeks to  
penalize drivers who  
overtake school buses**

Motorists who have made it a habit to overtake school buses could face jail time and a hefty fine if a proposed bill calling for such penalties gets approval from the Fono.

Sponsored by Fono faipule Rep. Puletu Dick Koko, the proposed bill states that drivers who overtake school buses could face a jail term of up to one year and a fine.

The proposed legislation states that a motorist who overtakes a school bus that has stopped to pick up or drop off students will be guilty of a class A misdemeanor. Upon conviction, the guilty party will be required to pay \$500 for the first offense, \$750 for a second offense, and \$1,000 for a third offense.

Concerned parents and local residents, through the Governor's weekend radio program, have often raised the issue regarding ignorant drivers who continue to overtake school buses transporting the territory's youngsters.

But the good news is, police officers from the Department of Public Safety are on top of their game, as evident in an incident that occurred last month in the eastern district where

DPS traffic officers were able to catch up with a driver who overtook a school bus in Aua village.

That day, despite the flashing red lights illuminating from the front of the school bus signaling oncoming traffic to stop - in addition to hand gestures from the bus driver - a female driver overtook the bus.

Apparently, the frustrated bus driver was able to report the incident, along with a description of the vehicle and the license plate number, to police officers via a cell phone call.

Police officers responded immediately and were able to catch up with the culprit in Pago Pago.